IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION (L) NO. 67 OF 2006

Prajwal Bhimrao Jamkhandikar ... Petitioner

Vs.

State of Maharashtra and Ors. ... Respondents

Mr. R.K. Mendadkar for Petitioner.

Mr. Niranjan Pandit, A.G.P. for Respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: AUGUST 28, 2006

P.C.:

. The Petitioner's father had obtained a caste certificate which was issued at Bijapur. Based on that certificate, the Petitioner got caste certificate from Tahasildar that he belongs to Hindu Machigar caste. One more certificate was obtained by the Petitioner to show him as Hindu Machigar and as born in the State of Maharashtra. The Petitioner thereafter obtained third certificate showing that he belongs to S.C. chambhar. The committee has noted the various documents issued and produced. The first certificate which the Petitioner has produced is as belonging to Hindu Machigar and based on that certificate held that the Petitioner is a migrant, and as such he would not be entitled to the benefits in the state of Maharashtra. It is this order which is the subject matter of the present

Petition.

. The law is now settled. That in so far as the caste validity is concerned, it will be the committee of the area from which the Petitioner claims benefits, who will do the exercise. The issuance of certificate by the authorities in Maharashtra as per the Government circulars only permit the concerned officer of the area, based on the caste certificate already issued to the Petitioners' father, to issue a caste certificate. This confers no right on the Petitioner in the State of Maharashtra. It is not that the committee has rejected the Petitioner's claim as belonging to Hindu Machigar. On behalf of the Petitioner, it is submitted that the school record shows that het Petitioner's grand father was borne in 1930 in the area forming the erstwhile Bombay Province. That would be of no consequecne once the Petitioner's father obtaiend the caste certificate from Bijapur. It will be open to the Petitioner to claim the said benefits in the state of origin namely Karnataka.

. Considering that we find that there is no error in the impugned order and hence, no interference is called for. Petition dismissed.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**